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4 BILL NO. S-77-03-20

5 SPECIAL ORDINANCE NO. S-

71-77

6 AN ORDINANCE approving a contract with  
7 Earth Construction & Engineering Inc.,  
8 for Repair of Sanitary Sewer.

9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
10 WAYNE, INDIANA:

11 SECTION 1. That the contract dated December 14, 1976,  
12 between the City of Fort Wayne, by and through its Mayor and the  
13 Board of Public Works and Earth Construction & Engineering Inc.,  
14 for:

15 Repair of Sanitary Sewer on Alley between Lake and  
16 Dearborn Street.

17 for a total cost of \$33,617.07, all as more particularly set forth  
18 in said contract which is on file in the Office of the Board of  
19 Public Works and is by reference incorporated herein, made a part  
20 hereof and is hereby in all things ratified, confirmed and  
21 approved.

22 SECTION 2. This Ordinance shall be in full force and  
23 effect from and after its passage and approval by the Mayor.  
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34 APPROVED AS TO FORM  
35 AND LEGALITY.

  
MAYOR

Read the first time in full and on motion by P. Schmidt, seconded by Quater, and duly adopted, read the second time by title and referred to the Committee on Public Works (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the day of \_\_\_\_\_, 1976, at \_\_\_\_\_ o'clock P.M., E.S.T.

DATE: 3-8-77

Charles W. Westerman  
CITY CLERK

Read the third time in full and on motion by Mrses, seconded by Talarico, and duly adopted, placed on its passage.  
PASSED (HIST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HUNTER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 3-22-77

Charles W. Westerman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION)

ORDINANCE (RESOLUTION) No. 2-71-77 on the 23rd day of March, 1976.

ATTEST: (SEAL)

Charles W. Westerman  
CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of March, 1976, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this 24th day of March, 1976, at the hour of 1:30 o'clock \_\_\_\_\_ M., E.S.T.

Rafael Elmschong  
MAYOR

Bill No. S-77-03-20

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on PUBLIC WORKS to whom was referred an Ordinance  
approving a contract with Earth Construction & Engineering Inc.,  
for Repair of Sanitary Sewer

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance DO PASS.

WINFIELD C. MOSES, JR. - CHAIRMAN

DONALD J. SCHMIDT

VIVIAN G. SCHMIDT

PAUL M. BURNS

SAMUEL TALARICO

DATE 3-22-77 CONCLUDED IN

CHARLES W. WILSON, JR., CLK

Wm. Moses Jr.  
Donald J. Schmidt

Vivian G. Schmidt  
Paul M. Burns  
Samuel J. Talarico

# Memorandum

To BOARD OF PUBLIC WORKS Date 2/18/77  
From PHILIP R. BOLLER  
Subject EMERGENCY SEWER REPAIR, B.O. 90-76

COPIES TO:

NOTED

Attached for your review and action is a final billing from Earth, Inc. for subject repair in the amount of \$33,617.07.

On Feb. 17, 1977 a meeting was held in the 7th floor Conference Room with Messrs. Loughheed, Cleveland, Morreale, Embury and the undersigned to determine the cause and justification for the overrun on this repair. It was concluded from this meeting that, while this final billing was higher than the contractor's original estimate for this project, the final costs are real and justified for the following reasons:

1. The concrete pavement restoration for the alley exceeded the original estimate.
2. Some small additional pipe installation was required to complete the work satisfactorily.
3. The contractor, by both the evidence submitted in the attached letter and documentation reviewed by this department, under-estimated his trucking costs for hauling out the excavated material and hauling in the required granular backfill.

The work has been completed satisfactorily and in accordance with our specifications; therefore, we are recommending to the Board of Public Works that payment be made from the attached invoice and claim from Earth Construction & Engineering, Inc. in the amount of \$33,617.07.

Respectfully submitted,

*C. U. & Council*

*Philip R. Boller*

Philip R. Boller, P.E.  
Chief Water Pollution Control Eng.

PRB/DE/iw  
Att..

cc: H. Biggs  
J. Morreale

64-135-16

2/23/77

64-135-16 2-23/77

INVOICE

"We Do Anything in Earth"

No. 2337



CONSTRUCTION  
& ENGINEERING INC.

- SEWERS
- GRADING
- STREETS
- EXCAVATING

3333 ENGLE ROAD PHONE 219 744-1101  
P. O. BOX 477 FORT WAYNE, INDIANA 46809

SOLD  
TO

City of Fort Wayne,  
Board of Public Works  
Fort Wayne, Indiana

DATE	JOB NUMBER	CUSTOMER'S ORDER NO.	TERMS	
12/14/76	Lake & Dearborn		NET 10 DAYS	

Repair of Sanitary Sewer on Alley between Lake and Dearborn St.

Total amount earned

\$33,617.07

Recommended For Payment  
Water Pollution Control Eng. Dept.

APPROVED  
Board of Public Works

Henry P. Wittenberg 1/77 Dean Embury

Edward W. Roman

May G. Reed

RECEIVED

FEB 17 1977

Water Pollution Control Eng. Dept.  
City-County Building, One Main St.  
Ft. Wayne, Indiana 46802

ORIGINAL INVOICE



CLAIM NO. \_\_\_\_\_ WARRANT NO. \_\_\_\_\_

IN FAVOR OF

\$ \_\_\_\_\_

ON ACCOUNT OF APPROPRIATION

FOR \_\_\_\_\_

ALLOWED \_\_\_\_\_ 19 \_\_\_\_\_

IN THE SUM OF \$ \_\_\_\_\_

I have examined the within claim and hereby certify as follows:  
That it is in proper form.  
That it is duly authenticated as required by law.  
That it is based upon { contract  
statutory authority  
correct  
incorrect  
That it is apparently

Clerk-Treasurer

CERTIFY THAT THE WITHIN BILL IS TRUE AND CORRECT THAT THE SUPPLIES AND MATERIALS THEREIN ITEMIZED AND FOR WHICH CHARGE IS MADE WERE ORDERED BY ME AND WERE NECESSARY TO THE PUBLIC BUSINESS; THAT EACH AND EVERY ITEM HAS BEEN DELIVERED TO ME AT PRICES MENTIONED AND WAS IN ACCORDANCE WITH CONTRACT, EXCEPT \_\_\_\_\_

19 \_\_\_\_\_

CLAIM NO. \_\_\_\_\_ WARRANT NO. \_\_\_\_\_

IN FAVOR OF

\$ \_\_\_\_\_

ON ACCOUNT OF APPROPRIATION

FOR \_\_\_\_\_

ALLOWED \_\_\_\_\_ 19 \_\_\_\_\_

IN THE SUM OF \$ \_\_\_\_\_

**DUPLICATE**

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE *S-77-03-20*  
COVERS PROPOSED PAYMENT TO EARTH CONSTRUCTION & ENGINEERING, INC.  
FOR EMERGENCY REPAIRS TO SANITARY SEWER ON ALLEY BETWEEN LAKE AND DEARBORN STREETS,  
COMPLETED SATISFACTORILY.

ATTACHMENT: ITEMIZED INVOICE NO. 2337

TOTAL COST \$33,617.07

EFFECT OF PASSAGE FOR PAYMENT OF EMERGENCY WORK PERFORMED SATISFACTORILY BY EARTH  
CONSTRUCTION & ENGINEERING, INC.

EFFECT OF NON-PASSAGE UNABLE TO PAY INVOICE SUBMITTED FOR PAYMENT.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) CITY UTILITIES' WATER POLLUTION  
CONTROL ENGINEERING DEPARTMENT IN AMOUNT OF \$33,617.07.

ASSIGNED TO COMPTROLLER *mode*